



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,211	05/23/2006	Yoshiki Tsuchiyama	1919.1009	1850
21171	7590	10/09/2008	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SEVERSON, JEREMY R	
			ART UNIT	PAPER NUMBER
			3653	
			MAIL DATE	DELIVERY MODE
			10/09/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/580,211

Applicant(s)

TSUCHIYAMA ET AL.

Examiner

Jeremy Severson

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

The drawings filed 19 June 2008 are acceptable.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

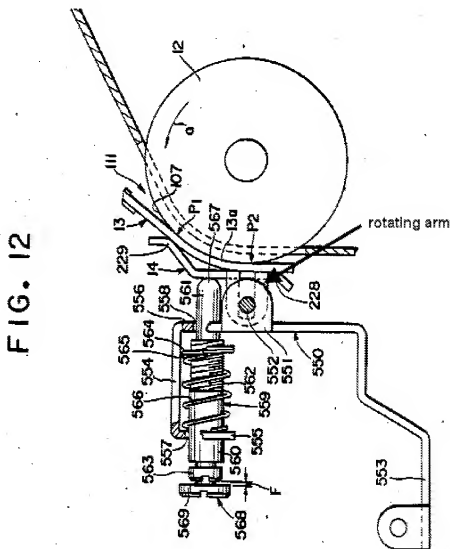
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Murayoshi (US 4,674,737).

Regarding claim 1, Murayoshi discloses an automatic paper feeder supplying paper to an apparatus, comprising: a separation pad 13, pressing the paper against a pick roller 12 so as to feed the paper one by one; and pad pressing means 14, applying pressure to the separation pad so as to press the separation pad against a surface of the pick roller, the pad pressing means having a reverse U-shape to press the separation pad against the surface of the pick roller at two portions, a front portion and a rear portion, along a rotating direction of the pick roller thereof, and the pad pressing means being configured to be rotatable back and forth with respect to the rotating direction of the pick roller about a fulcrum 552 where pressure is applied to the pad pressing means. See fig. 12 and col. 17, lines 63 et seq.

Regarding claim 2, Murayoshi discloses the automatic paper feeder according to claim 1, further comprising: a rotating arm arranged so that the entire pad pressing means is rotatable about a predetermined position.



Regarding claim 3, Murayoshi discloses the automatic paper feeder according to claim 1 or 2, wherein the fulcrum where the pressure is applied to the pad pressing means is arranged such as to be movable back and forth depending on a type of the

paper which is fed between the separation pad and the pick roller. The movement of bracket 550 causes movement of fulcrum 552. See col. 18, lines 3-7.

Regarding claim 4, Murayoshi discloses the automatic paper feeder according to claim 2, wherein the fulcrum 552 where the pressure is applied to the pad pressing means is arranged such as to be movable back and forth depending on a type of the paper which is fed between the separation pad and the pick roller. The movement of bracket 550 causes movement of fulcrum 552. See col. 18, lines 3-7.

Regarding claim 5, Murayoshi discloses the automatic paper feeder according to claim 1, wherein the fulcrum where the pressure is applied to the pad pressing means is arranged such as to be movable closer or farther to the pick roller depending on a thickness of the paper which is fed between the separation pad and the pick roller. The movement of bracket 550 causes movement of fulcrum 552. See col. 18, lines 3-7.

Regarding claim 6, Murayoshi discloses the automatic paper feeder according to claim 2, wherein the fulcrum where the pressure is applied to the pad pressing means is arranged such as to be movable closer or farther to the pick roller depending on a thickness of the paper which is fed between the separation pad and the pick roller. The movement of bracket 550 causes movement of fulcrum 552. See col. 18, lines 3-7.

Regarding claim 7, Murayoshi discloses the automatic paper feeder according to claim 1, further comprising a pressing unit 550 applying the pressure to the fulcrum of the pad pressing means.

Regarding claim 8, Murayoshi discloses a method of adjusting pad pressing means pressing on a pick roller of an automatic paper feeder depending on thickness of

paper fed between the pad pressing means and the pick roller, the pad pressing means pressing the pick roller in at least two distinct portions, the method comprising: rotating the pad pressing means 14 about a fulcrum 552 where pressure is applied to the pad pressing means to adjust pressures on the at least two distinct portions (228, 229); and adjusting position of the fulcrum 552 closer or farther from the pick roller 12. See col. 17, line 63-col. 19, line 9.

Response to Arguments

Applicant's arguments filed 19 June 2008 have been fully considered but they are not persuasive.

Applicant argues that the pressing plate 14 of Murayoshi does not have a reverse U-shape as the pad pressing means recited in claim 1. Remarks, p. 6. The examiner respectfully disagrees. The pad pressing means has a reverse U-shape; it curves in a U-direction to press at two points, P1 and P2, similar to Applicant's invention.

Applicant further argues that Murayoshi includes no teaching or suggestion that its pressing plate 14 can be rotated around the fulcrum 552. The examiner respectfully disagrees. First, a description of a similar embodiment explicitly indicates that the fulcrum is loosely inserted in the slots to allow pivotal movement. See col. 7, lines 36-45. Secondly, the fulcrum 552 must be freely movable in order for the pressing force at point P2 to be adjustable in the way described in col. 18, line 49-col 19, line 2.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Severson whose telephone number is (571)272-2209. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey, can be reached on 571-272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeremy Severson/
Examiner, Art Unit 3653

/Patrick H. Mackey/
Supervisory Patent Examiner, Art
Unit 3653